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October 9, 2009

VIA TELEFAX ONLY

The Honorable Paul S. Diamond  
United States District Court for the  
Eastern District of Pennsylvania  
6613 U.S. Courthouse  
601 Market Street  
Philadelphia, Pennsylvania 19106-1797

FILED

OCT 13 2009

MICHAEL E. KUNZ, Clerk  
By JD Dep. Clerk

RE: Maximino M. Estrada, individually and as Administrator of the  
Estate of Yolanda A. Carias-Santos v. Home Depot U.S.A., Inc., et al.  
U.S.D.C., E.D. Pa.; Civil Action No. 08-CV-4367

Dear Judge Diamond:

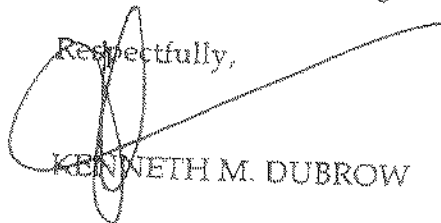
Pursuant to the Third Amended Scheduling Order, dated July 7, 2009, relative to the above matter, the parties' pre-trial joint submissions are to be filed on or before Wednesday, October 14, 2009. Counsel for the parties have been working diligently to comply with the Court's Order and proposed joint voir dire, jury interrogatories (verdict sheet) and jury instructions have been circulated and are currently being revised.

The parties, through counsel, have agreed to participate in a voluntary mediation on Wednesday, October 14, 2009 before Judge Welsh at JAMS. In light of the parties' efforts to finalize the pretrial submissions and agreement to participate in mediation, the parties are respectfully requesting a brief extension of time, until Friday, October 16, 2009, within which to submit the pretrial submissions in the event the matter does not settle following mediation.

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Thank you for your courtesy and consideration in this regard.

Respectfully,



KENNETH M. DUBROW

cc: Jesse L. Pleet, Esquire (via telefax)  
Frederick T. Lachat, Jr., Esquire (via telefax)  
Tiffany M. Alexander, Esquire (via telefax)

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